

**BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO**

FRANCIS WILLIAMS,	)	
	)	
Claimant,	)	<b>IC 00-016125</b>
	)	
v.	)	
	)	<b>ORDER</b>
COEUR D'ALENE TRIBAL FARM,	)	
	)	Filed September 15, 2006
Employer,	)	
	)	
and	)	
	)	
IDAHO INSURANCE GUARANTY	)	
ASSOCIATION, as successor in interest	)	
to FREMONT COMPENSATION	)	
INSURANCE GROUP,	)	
	)	
Surety,	)	
	)	
Defendants.	)	
_____	)	

Pursuant to Idaho Code § 72-717, Referee Michael E. Powers submitted the record in the above-entitled matter, together with his proposed findings of fact and conclusions of law to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendation of the Referee. The Commission concurs with this recommendation. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusions of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant is totally and permanently disabled pursuant to the odd-lot doctrine due solely to his lung condition resulting from his exposure to anhydrous ammonia effective May 29, 2002.
2. No apportionment is appropriate under the *Carey* formula.

3. The issue of the extent of Claimant's PPI is moot.

4. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all issues adjudicated.

DATED this \_\_15<sup>th</sup>\_\_ day of \_\_September\_\_\_\_, 2006.

INDUSTRIAL COMMISSION

Dissent without comment.

Thomas E. Limbaugh, Chairman

/s/

James F. Kile, Commissioner

/s/

R. D. Maynard, Commissioner

ATTEST:

/s/

Assistant Commission Secretary

**CERTIFICATE OF SERVICE**

I hereby certify that on the \_\_15<sup>th</sup>\_\_ day of \_\_September\_\_\_\_, 2006, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following persons:

JAMES F COMBO  
2005 IRONWOOD PARKWAY STE 201  
COEUR D'ALENE ID 83814

GLENNA M CHRISTENSEN  
PO BOX 829  
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/s/

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